

Ex-Official Warns of FBI Power

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NEW YORK—The third-highest ranking official of the FBI under the late J. Edgar Hoover says that the bureau, as now structured, is a potential threat to Americans' civil liberties and that its power should be reduced significantly.

William C. Sullivan, who until 1971 was assistant FBI director in charge of criminal investigations and intelligence, proposed a three-year moratorium on electronic eavesdropping by any federal agency while a special commission studies all internal security and intelligence operations.

The FBI of the future, Sullivan said, "Should not be the creation of any one man or any special groups within government."

"The weaknesses of the FBI have always been the leadership in Washington, of which I was a part for 15 years. I accept my share of blame for its serious shortcomings," Sullivan said in an uncommonly

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candid assessment of the bureau, even for a bureau official who was forced into retirement by Hoover after a much publicized personal dispute.

Sullivan feuded with Hoover over FBI policy matters for several years before the director's death in May, 1972, and he subsequently charged that Hoover was not of sound mind in his final years.

Now retired and living in New Hampshire, Sullivan made his remarks in a paper submitted to the 1974 Chief Justice Earl Warren Conference on Advocacy, sponsored by the Roscoe Pound—American Trial Lawyers Foundation.

Because of an illness, Sullivan was unable to attend the conference, held in Cambridge, Mass., and his remarks were subsequently submitted as an appendix to a foundation report.

"FBI headquarters was wrong in releasing to the American people propaganda that pictured us as an elite corps far superior to any governmental organization, federal, state or local," Sullivan said.

"The gulf between public relations and our actual performances were indeed very great. Not many on the outside knew of this gulf. You might say the FBI concealed it by classifying it," he added.

Tracing the shortcoming of the FBI back to its creation as a national security bureaucracy in 1939, Sullivan said veteran criminal investigators

were then trained in intelligence work by "men equally lacking in authoritative intelligence experience and knowledge."

"The leadership of the FBI was opposed to inviting men from the outside to instruct us . . . we were sealed off from the outside world and the experiences and thinking of others from the very beginning, and we remained relatively so and steadily became inbred for 30 years," Sullivan said.

"To be candid, the 'right to privacy' was not at issue nor was it an impediment to solving cases. It mattered not whether electronic devices or other techniques were used. The issues were black and white and crystal clear. The primacy of civil liberties on occasions gave way to expediency," Sullivan said in what he termed a "backdrop" for the governmental abuses of the Watergate era.

This background, Sullivan argued, extended to the administration of Franklin D. Roosevelt, who, he said, "saw nothing wrong in asking the FBI to investigate those opposing his lend-lease policy—a purely political request."

"He also had us look into the activities of others who opposed our entrance into World War II, just as later administrations had the FBI look into those opposing the conflict in Vietnam," Sullivan said.

This attitude continued through administrations in the post-war era, Sullivan said, and was intensified during the Nixon years to the point that "the FBI, as it is now struc-

tured, is a potential threat to our civil liberties, recent events indicate this."

To separate the domestic political, security and criminal investigations operations of the FBI, Sullivan argued, would not only reduce the power of the bureau, but would reduce the budget, which last year totaled more than \$366 million.

"It would greatly help in removing the FBI from politics and politics from the FBI. This would be a tremendous accomplishment for the good of our country," Sullivan told the trial lawyers association.

He recommended that a "truly objective, serious commission" be formed to study all internal security operations and strike a balance between "the need for national security and the preservation of civil liberties."

Saying that it based its conclusions largely on Sullivan's testimony, the trial lawyers group issued a final report that recommended a ban on federal electronic surveillance except in crimes of "the utmost gravity" such as "imminent threat to life."

Conference delegates were evenly divided on whether state and local authorities should be allowed to engage in electronic surveillance.

The group also concluded that bugging of rooms should be banned because it is "more insidious" and constitutes a less controllable invasion of privacy than telephone wire-tapping.